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FSB and Ken Thompson

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CESAR ANCHANTE-MARTINETTI
Sramineus Homo, US Vessel,
Libellant,
v.
WORLD SAVINGS, KEN THOMPSON,
President, U.S. Vessel DOES, ROES, and MOES
1-100 et al, US Vessel sand,
Libellees,
Cesar Anchante-Martinetti
Lien Holder of the Vessel, the Real Party
In Interest, Lawful Man
Injured Third Party Intervener/Petitioner/
Libellant,
v.
WORLD SAVINGS, KEN THOMPSON,
PRESIDENT, U.S. Vessel
DOES, ROES and MOES 1-100 et al
US VESSELS
INDIVIDUALLY AND SEVERALLY,

) No.: CV 07-5929
) **REPLY IN SUPPORT OF DEFENDANTS'**
) **MOTION TO DISMISS PLAINTIFF'S**
) **FIRST AMENDED COMPLAINT**
) Date: March 28, 2008
) Time: 9:00 a.m.
) Place: Courtroom 10, 19th Fl.
) Compl. Filed: November 26, 2007
) Honorable Susan Illston

Third Party Defendants/Libellees

1 **I. INTRODUCTION**

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3 Nothing in Plaintiff Cesar Anchante-Martinetti's ("Plaintiff") "Answer to Motion to
4 Dismiss" addresses the deficiencies in his First Amended Complaint ("FAC"). These defeciencies
5 are as follows:

- 6
- 7 • Plaintiff did not file his amended Complaint within the time proscribed by the
Court's January 23, 2008 Order.
- 8 • Plaintiff has not (and cannot) stated a single cause of action against World
Savings Bank, FSB, let alone its President Ken Thompson.
- 9 • Plaintiff's FAC is hopelessly vague.
- 10 • Plaintiff has not stated the grounds for this Court's jurisdiction.

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12 Plaintiff's *proper* status does not excuse his failure to present any facts that could be
13 interpreted to support a cause of action. As this is Plaintiff's second attempt to state a cause of
14 action against World Defendants, his FAC should be dismissed *with prejudice*.

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18 DATED: March 14, 2007.

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20 REED SMITH LLP

21 By /s/ Keith D. Yandell

22 Jack R. Nelson

23 Keith D. Yandell

24 Attorneys for Defendants World Savings Bank,
FSB and Ken Thompson